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Protecting Children from Online Exploitation and Abuse: An Overview of Project Safe Childhood

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I. INTRODUCTION

On May 17, 2006, Attorney General Alberto R. Gonzales announced the beginning of the nationwide implementation of Project Safe Childhood, a Department of Justice initiative designed to enhance the national response to the growing threat to America's children from online exploitation and abuse.[1] "We are in the midst of an epidemic of sexual abuse and exploitation of our children," said Attorney General Gonzales.[2] "Project Safe Childhood will help law enforcement and community leaders prevent, investigate, and prosecute sexual predators and pornographers who target our children and grandchildren."[3]

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* Portions of this article have been reprinted with permission of the Department of Justice from the *Project Safe Childhood Guide*. *See* Department of Justice, *Project Safe Childhood Guide* *May 2006), *available at* http://www.projectsafechildhood.gov.

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1. Press Release, Department of Justice, *Attorney General Alberto R. Gonzales Announces Implementation of Project Safe Childhood Initiative* (May 17, 2006), *available at* http://www.usdoj.gov/opa/pr/2006/May/06_ag_303.html.

2. *Id.*

3. *Id.*

A critical element of Project Safe Childhood is the integration of federal, state and local law enforcement in investigating and prosecuting child exploitation cases, and in identifying and rescuing victims.[4] In the Central District of California (the "Office"), we strongly support this integrated approach. This Office was instrumental in forming the Sexual Assault and Felony Enforcement (SAFE) Team in 1995. The SAFE Team is a task force comprised of the Federal Bureau of Investigation, California Department of Justice, Los Angeles County Sheriff's Department, Los Angeles Police Department, and numerous other local law enforcement agencies.[5] The SAFE Team is devoted exclusively to the investigation and prosecution of those who engage in child sexual exploitation.[6] Assistant United States Attorneys work closely with the members of the SAFE Team, as well as other agencies, to investigate and prosecute the perpetrators who communicate with children online for the purpose of luring them to meet in person and engage in sexual activity as well as those who produce, distribute, and possess child pornography.[7]

The problem that we face is immense. As the Project Safe Childhood Manual states, "The Internet and other communications technologies are increasingly used by sexual predators and abusers as tools for exploiting and victimizing our children."[8] A Youth Internet Safety Survey conducted between August 1999 and January 2000 found that approximately one in five children annually receives an unwanted sexual solicitation online.[9] One in thirty-three children per year receives an aggressive sexual solicitation, that is one in which a solicitor asks to meet them somewhere, calls them on the telephone, or sends them mail, money or gifts.[10] One in four children per year has an unwanted exposure to sexually explicit material.[11] Frighteningly, only twenty-five percent of the young people who encountered a sexual solicitation told a parent, and only a fraction of all episodes were reported to authorities, such as a law enforcement agency, an Internet Service Provider, or a hotline.[12] The Project Safe Childhood Guide

4. *See id.*

5. CAL. PROB. CODE § 13887.2 (West Supp. 2006).

6. *Id.* § 13887.1.

7. *Id.* § 13887.1.

8. Department of Justice, *Project Safe Childhood Guide* (pt. I), at 1 (May 2006), *available at* http://www.projectsafechildhood.gov/part1.pdf.

9. Department of Justice, *Project Safe Childhood Guide* (pt. II), at 7 (May 2006), *available at* http://www.projectsafechildhood.gov/part2.pdf; *See Highlight of the Youth Internet Safety Survey,* OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION FACT SHEET (D.O.J./Crime Against Children Research Ctr., Durham, N.H.), March 2001, *available at* http://unh.edu/ccrc/pdf/highlightsfactsheet.pdf.

10. Department of Justice, *supra* note 9, at 7.

11. *Id.*

12. *Id.*

cites a recent media report stating that at any given time, 50,000 predators are on the Internet prowling for children.[13]

In the Central District of California, the United States Attorney's Office is strongly committed to prosecuting those predators. Recently, we handled a case in which the defendant posed as an eighteen-year-old high school senior male and began an internet relationship with a fifteen-year-old girl.[14] During the course of their Internet relationship, the defendant persuaded his victim to take pornographic pictures of herself and to masturbate.[15] Law enforcement identified and rescued her, and the defendant pleaded guilty to one count of use of an interstate facility to entice a minor to engage in a sexual act and was sentenced to sixty months imprisonment.[16]

We also have had success identifying and prosecuting Internet predators through undercover operations. One of the most successful undercover operations began in the fall of 2004 during a Florida convention of the North American Man Boy Love Association ("NAMBLA"), when an undercover FBI agent learned that some of the members wanted to travel to foreign countries to have sex with minor boys.[17] After the convention, the FBI set up an undercover travel agency that appeared able to facilitate their travel to Mexico for the purpose of engaging in sexual acts with minor boys.[18] Four NAMBLA members signed up and paid for the trip, and they traveled to California from their respective states (Florida, South Carolina, New Mexico, and Pennsylvania).[19] The night before the scheduled departure on a boat to Mexico, undercover agents recorded a meeting with the defendants in which they discussed the upcoming trip to Mexico, including how the trip violated federal law and the need to maintain secrecy.[20] All four defendants were arrested the next morning after placing their luggage on the boat.[21]

After pleading guilty to traveling in interstate commerce to have sex with a minor, two defendants each received a prison sentence of thirty-seven months, followed by seven years of supervised release.[22] A third defendant

13. *Id.* at 8 (citing *Dateline: Adults Prowling the Web to Meet Children Found Dateline Cameras* Instead (NBC television broadcast Nov. 3, 2005)).
14. United States v. Grennan, SA CR 05-39-DOC.
15. *Id.*
16. *Id.*
17. United States v. Stutsman, Case No. CR 05-206-NM.
18. *Id.*
19. *Id.*
20. *Id.*
21. *Id.*
22. *Id.*
23. United States v. Nusca, Case No. CR. 05-204-JFW.

pled guilty to traveling in interstate commerce to have sex with a minor and to possession of child pornography.[23] He received a prison sentence of 168 months.[24] A fourth defendant, who had three previous convictions for crimes against children, was convicted by a jury. At the time of his arrest, he admitted that he planned to fondle the boys in Mexico, including touching a boy's penis if the boy so desired, and that his preferred age range was ten, eleven, and twelve years old.[25] At trial, he testified that after signing up for the trip, he had told the undercover agent he was so excited that he could barely sleep.[26] He admitted that he had initiated many assaultive touches, and that on more than 100 occasions he had wrestled with a boy with the intent to sexually assault him.[27] He also admitted at trial that despite years of therapy, he still has a sexual desire for boys.[28] He was sentenced to thirty years imprisonment followed by a lifetime term of supervised release.[29]

Success has also been had in undercover operations in which law enforcement pose online as minors. In one of those cases, the defendant began communicating via online chat with an undercover FBI agent posing as a fourteen-year-old girl.[30] Defendant arranged to meet the girl and he was arrested with condoms on his person and marijuana in his vehicle.[31] A forensic examination of his computer showed multiple other potential minor victims in the area.[32] Defendant pleaded guilty to one count of use of an interstate facility to entice a minor and was sentenced to sixty months imprisonment.[33] Defendant was also referred to the local district attorney's office for potential further prosecution.[34] In another case, the defendant began communicating via e-mail with a detective posing online as a fourteen-year-old boy.[35] The defendant traveled from Mississippi to California to meet the boy.[36] Defendant was arrested, pleaded guilty to one count of interstate travel to engage in a sexual act with a minor, and was sentenced to eighty-eight months imprisonment, followed by lifetime supervised release.[37]

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24. *Id.*
25. *Id.*
26. *Id.*
27. *Id.*
28. *Id.*
29. *Id.*
30. United States v. Gritchen, SA CR 03-167-DOC.
31. *Id.*
32. *Id.*
33. *Id.*
34. *Id.*
35. United States v. Tucker, SA CR 03-177-JVS.
36. *Id.*
37. *Id.*

The Department of Justice Child Exploitation and Obscenity Section and other experts agree that besides providing sexual predators with a ready, convenient method to communicate with potential child victims, the Internet also is largely responsible for the significant increase in the proliferation and severity of child pornography.[38] The Project Safe Childhood Guide sets forth compelling evidence of the sharp increase in the amount of child pornography available on the Internet.[39] In 1998, the CyberTipline at the National Center for Missing and Exploited Children received approximately 4,500 reports of child sexual exploitation.[40] In 2005, the CyberTipline received over 70,000 of these reports.[41] As the Project Safe Childhood Guide states, "[j]udging simply by crime statistics, it is clear that the Internet is helping to fuel an epidemic of child pornography."[42]

In addition to the increase in the volume of child pornography, there also has been an escalation in the severity of the abuse depicted.[43] The child pornography images readily available on the Internet today frequently depict depraved conduct as well as very young children, including infants and toddlers.[44]

The Project Safe Childhood Guide explains how the Internet has fueled this epidemic and contributed to the disturbing increase in the severity of the child abuse depicted:

> While it is impossible to determine exactly how many people are looking at child pornography, experts attribute the escalation in the quantity of child pornography being created and distributed to the growth of the Internet, and the concomitant ease with which child predators can now buy, sell, and swap images. The resulting sense of community among child predators is in turn helping to embolden those who may have had misgivings about a sexual interest in

38. Department of Justice, *supra* note 9, at 8.

39. *Id.* at 7-8.

40. *Id.* at 7.

41. *Id.*

42. *Id.*

43. *Id.*

44. *See id.; see also, e.g.,* United States v. Wright, 373 F.3d 935, 938 (9th Cir. 2004) (defendant's hard drive contained over 4,000 images of minor children engaging in sexually explicit conduct obtained via internet transmission); United States v. Myers, 355 F.3d 1040, 1043 (7th Cir. 2004) (photographs and motion pictures of children between ages of five and eight engaging in sadistic and masochistic sexual conduct ordered and transmitted via internet); United States v. Parmelee, 319 F.3d 583, 585 n.3 (3d Cir. 2003); United States v. Turchen, 187 F.3d 735, 737 (7th Cir. 1999) (photographs of prepubescent children engaging in sadistic and masochistic sexual conduct sent via e-mail).

children, and it is thus driving a market for new images with fresh faces. Before the Internet it was difficult and risky for child exploiters to go out and find other child exploiters with whom to share images, which left the child pornography industry relegated to small black markets in underground bookstores or secret mailings. Today, the Internet has provided these pedophiles with an accessible, convenient, and anonymous means for interacting with their community and obtaining illicit material. The Internet has thus taken down borders that at one time served as a deterrent to child pornographers.[45]

The harm caused by enticement is beyond question. The magnitude of the damage caused by child pornography, however, is far less appreciated.[46] The child pornography images that are readily available on the Internet and that are the subject of federal prosecutions in this district are graphic.[47] As the Attorney General stated on April 20, 2006, "[l]et's be clear: It is not a victimless crime. Most images today of child pornography depict actual sexual abuse of real children. Each image literally documents a crime scene."[48] The Project Safe Childhood Guide explains the permanent, ongoing harm that child pornography inflicts:

> Child pornography victimizes children in a very real and dramatic way. Of course, no child can consent to being sexually exploited through the production of sexually-explicit images. Each time the image is viewed or distributed, the child is again victimized. "[N]o mere words could ever truly describe the daily torture of victims who were forced to participate in child pornography years ago and now, as adults, see images of themselves 'performing' on the Internet."[49] In addition to the obvious physical injuries that a child can suffer due to sexual abuse, the emotional and psychological trauma is devastating, and lasting. Many child victims suffer from depression, withdrawal, anger, and other conditions that often continue into adulthood. They experience feelings of guilt and responsibility for the abuse, a sense of powerlessness and feelings of worthlessness.

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45. Department of Justice, *supra* note 9, at 8; *see also* Casswell Bryan-Low, *Dangerous Mix: Internet Transforms Child Porn Into Lucrative Criminal Trade*, THE WALL ST. J., Jan. 17, 2006 ("Child pornography Web sites draw 'people who had never dreamed of indulging in the fantasy' by giving them the perception of anonymity.").

46. Department of Justice, *supra* note 1, at 9.

47. Department of Justice, *supra* note 9, at 8.

48. *Id.* at 10.

49. Andrew Vachss, *Let's Fight this Terrible Crime against Our Children*, PARADE 4 (Feb. 19, 2006).

> Thus, for the sole fact of the victimization and damage that child pornography visits upon children, possession of child pornography is a heinous crime that must be stamped out. But that is only half of the story of the pernicious effect of child pornography. Possession of child pornography is a serious crime for four additional reasons,[50] each of which is described more fully below:
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> 1. The exchange of child pornography by and between child exploiters validates and encourages them in their beliefs and behaviors;
>
> 2. The greater availability of child pornography has led to the production, receipt, and distribution of more shocking, graphic images, which are increasingly involving younger children and infants;
>
> 3. The compulsion to collect child pornography images may lead to a compulsion to molest children, or may be indicative of a propensity to molest children; and
>
> 4. Child pornography is frequently used by molesters as an affirmative tool, either to silence their victims, to blackmail them into further exploitation, or to entice other children.[51]

II. VALIDATION AND ENCOURAGEMENT

Use of the Internet by child pornographers to exchange images and communications regarding those images provides positive reinforcement for them in their beliefs and behaviors, encouraging further exploitation of children.[52] One study of offenders revealed that exploiters' relationships with other offenders, forged online, "legitimize[d] and normalize[d] their interests" in their own minds.[53] In short, the process of collecting and

50. *See generally* MAX TAYLOR & ETHEL QUAYLE, CHILD PORNOGRAPHY: AN INTERNET CRIME (2003) (providing a comprehensive study of the impact of the Internet on child pornography).

51. *See* Department of Justice, *supra* note 9, at 10.

52. *Id.*

53. *Id.*; *see generally* ETHEL QUAYLE & MAX TAYLOR, *Model of Problematic Internet Use in People with a Sexual Interest in Children*, 6 Cyberpsychology & Behavior 100 (2003).

trading child pornography bonds the offenders together, and having an extensive child pornography collection heightens an offender's status within this community.[54]

> The incentives to abuse children, capture the abuse, and share the images are strong, allowing the producer a way into the community and a means for obtaining yet more images of abuse from other producers or distributors.[55] Child pornography is used as a means of establishing trust and camaraderie amongst child exploiters and molesters, as proof of good intentions when initiating contacts with one another.[56] It is, in part, for these reasons that offenders are frequently found with thousands of images.
>
> In considering this factor, one can see the important role that the Internet has played in the growth of the child pornography market. Before the Internet, child exploiters were isolated. Without knowing that others like them existed, pedophilia or a sexual interest in children was a shameful secret. Through the Internet, however, persons who desire to exploit children get to know that others like them exist, they share their preferences and their child pornography, and they no longer feel abnormal. The child exploiter sees in the Internet a way of validating his behavior: he is able to convince himself that his behavior or obsession is not abnormal, but is in fact shared by thousands of other people who, in the predator's mind, are sensitive, intelligent, and caring people.[57]

In one of the many child pornography cases handled by the United States Attorney's Office in the Central District of California, a former Orange County Superior Court judge pled guilty to four counts of child pornography possession.[58] He admitted that he had child pornography on his home computer, two computer floppy disks, and a zip drive.[59] The

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54. *See* Department of Justice, *supra* note 9, at 10.

55. *See id.*

56. *See* Department of Justice, *supra* note 9, at 11.; Taylor and Quayle, *supra* note 47, at 139; *see also* Child Pornography and Pedophilia: Report Made by the Permanent Subcommittee on Investigations, U.S. Senate, 99th Cong. 2d Sess. 10-12 (1986).

57. *See* Department of Justice, *supra* note 8, at 10-11.

58. Debra Wong Yang, U.S. Dep't of Justice, Press Release (December 12, 2005), http://www.usdoj.gov/usao/cac/pr2005/168.html.

59. *Id.*

investigation started after police received information that the defendant kept a diary on his computer that chronicled his sexual interest in young boys.[60] The defendant will be sentenced in late October, 2006.[61]

III. MORE SHOCKING, GRAPHIC IMAGES

As the Project Safe Childhood Guide explains, a more distressing trend is that, as pedophiles collect more and more images of child sexual abuse, they become desensitized to the horrors contained within their existing collections. They therefore seek gratification through novel and yet more disturbing images.[62] The only way that this demand can be met is through a supply of new images involving more horrific scenes of hands-on sexual abuse than that already present in the person's collection of images. The result has been a rise in demand for pornographic images of younger children, including babies and toddlers.[63] Twenty percent of the images seized depicting sexual exploitation of children involved images of babies and two and three-year-olds.[64] And, disturbingly, the abuse is getting worse, with the depictions being more sadistic than ever.[65]

Among the many child pornography cases handled by the United States Attorney's Office in this district was the prosecution of a former teacher who possessed hundreds of images of child pornography that he had downloaded from the Internet.[66] He came to the attention of federal authorities after his name was found on a list of paid subscribers to a child pornography website, and he was arrested after federal agents seized computer equipment and over twenty binders, each containing child pornography, from his residence.[67] An examination of one of the binders revealed that he had placed more than 300 printed images of child pornography inside plastic page protectors.[68] At the time he made this

60. *Id.*

61. United States v. Kline, CR 02-40-CBM.

62. *See* Department of Justice, *supra* note 8, at 11.

63. *See* Gretchen Ruethling and Theo Emery, 27 *Charged in International Online Child Pornography Ring*, THE N.Y. TIMES (Mar. 16, 2006) at A18 (quoting Julie Meyers, Assistant Secretary at DHS and Director of ICE, who noted that there is a trend towards an "increasingly violent and graphic nature of the images involving the molesting of younger children").

64. *See* Department of Justice, *supra* note 9, at 11; *see also* www.protectkids.com/dangers/stats.htm.

65. *See* Department of Justice, *supra* note 9, at 11.

66. Debra Wong Yang, U.S. Dep't of Justice, Press Release (June 13, 2006), http://losangeles.fbi.gov/dojpressrel/pressrel06/la061306usa.htm.

67. *Id.*

68. *Id.*

binder, the defendant was employed as a high school teacher.[69] He pled guilty to child pornography possession and was sentenced to seventy months imprisonment followed by ten years of supervised release.[70]

In another case, a defendant was operating an F-Serve, which is an electronic advertisement, for child pornography on an Internet Relay Channel named "PreTeen101."[71] Federal search warrants were executed at the defendant's residence, and over 7,000 sexually explicit images of children were recovered.[72] One folder on his computer labeled "Best" contained images and videos of children being sexually tortured.[73] The defendant was sentenced to seventy-nine months imprisonment.[74]

In yet another case, a high school teacher had photographed minors and attached cutouts of their faces to sexually explicit images of minors that he had downloaded from the Internet.[75] Over 3,000 sexually explicit images of children were found on his computer.[76] He was sentenced to thirty-nine months imprisonment.[77]

Another case began when undercover FBI agents posing online as people interested in child pornography visited Internet chat rooms established by the defendant and used them to trade and publish child pornography images.[78] The FBI seized the defendant's computer and found hundreds of still images and twenty videos depicting the sexual abuse of minors, some of whom were less than five years old.[79]

IV. INCREASED COMPULSION/PROPENSITY TO MOLEST CHILDREN

The Project Safe Childhood Guide explains another danger created by child pornography:

> As an offender's interest in children draws him to the child pornography market, his compulsion to view and collect images may become entwined with, or lead to, a compulsion to molest children. A study conducted by Ethel Quayle and Max Taylor revealed that the subject's access

69. *Id.*

70. United States v. Rogers, Case No. 05-455-ABC.

71. Debra Wong Yang, U.S. Dep't of Justice, Press Release (August 3, 2006), http://www.usdoj.gov/usao/cac/pr2006/106.html.

72. *Id.*

73. *Id.*

74. United States v. Lovato, Case No. O5-594-CBM.

75. FBI Press Release (March 22, 2005), http://losangeles.fbi.gov/pressrel/2005/la032205.htm.

76. *Id.*

77. *Id.*; United States v. Hussain, Case No. 04-709-AHM.

78. Debra Wong Yang, U.S. Dep't of Justice, Press Release (March 10, 2006), http://www.usdoj.gov/usao/cac/pr2006/030.html.

79. *Id.;* United States v. Cope, CR 05-765.

to child pornography "intensified his levels of sexual arousal and behavior and fueled his desire to engage in a relationship with a child." The subject progressed from viewing images, to entering chat rooms, to attempting to meet children offline.

Several factors other than mere sexual perversion may cause the tendency of child pornography collectors to begin to molest children. For instance, a collector's desire for novel and more graphic images could provide an incentive simply to produce the images himself, and computer technology today makes it easier to create the images and distribute them. In addition, collectors often feel that they have to produce new images because, in order to continue trading for new images, they have to offer up their own new images as part of the rules of some child pornography communities.

Clinical observations support the proposition that individuals who view child pornography are often also child molesters. According to a study completed in 2000 by Dr. Andres E. Hernandez, Director of the Sex Offender Treatment Program at the Butner Federal Correctional Complex in North Carolina, 79.6% of 54 offenders convicted of child pornography offenses admitted that they had molested significant numbers of children without detection. On average, the offenders had 26.37 child sex victims and admitted to over 1,424 contact sexual crimes. Of these 1,400+ contact sexual crimes, only 53 were detected or known about and taken into account at sentencing.[80]

Consistent with these studies, a 1986 Report of the U.S. Senate Permanent Subcommittee on Investigations on Child Pornography and Pedophilia stated: "No single characteristic of pedophilia is more pervasive than the obsession with child pornography. The fascination of pedophiles with child pornography and child abuse has

80. Department of Justice, *supra* note 9, at 12; Andres E. Hernandez, Psy.D., Self-Reported Contact Sexual Crimes of Federal Inmates Convicted of Child Pornography Offenses (2000).

> been documented in many studies and has been established by hundreds of sexually explicit materials involving children." Although the U.S. Senate Subcommittee found no direct evidence of causality—i.e., that possession of child pornography causes people to commit child sex offenses—it did conclude that child pornography plays a central role in child molestations, "serving to justify [the offender's] conduct, assist them in seducing their victims and provide a means to blackmail the children they have molested in order to prevent exposure." In a 2005 study of child pornography possessors arrested in Internet-related crimes, the reviewers concluded that "one out of six [child pornography] possession cases beginning with an investigation of or allegation about [child pornography] possession discovered a dual offender who had also sexually victimized a child or attempted to do so."[81]

Dr. Hernandez conducted a more recent analysis of a group of 155 men in the Sex Offender Treatment Program at the Butner Federal Correctional Complex in North Carolina who were convicted of Internet child pornography possession and/or distribution.[82] The patterns that he observed were consistent with those in 2000. Following treatment, the inmates in the study disclosed perpetrating contact sexual crimes against 1,702 victims. Eighty-five percent of the inmates in that group were child pornography offenders.[83] As the Attorney General stated, "[T]he Internet just feeds a vicious cycle. It makes child pornography more accessible and validates the pedophile's behavior in their minds, driving them to molest even more children and to make new and increasingly vulgar material."[84]

Cases handled in the Central District of California support these conclusions. For example, one defendant transmitted weekly, via web cam over the Internet, to friends located in Texas and Indiana, sexual molestations of his five-year-old daughter.[85] The little girl was identified and rescued by law enforcement, and the defendant is facing a twenty-five year sentence.[86]

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81. Department of Justice, *supra* note 9, at 11-12.

82. Statement of Andres E. Hernandez before the Subcommittee on Oversight and Investigations Committee on Energy and Commerce, United States House of Representatives, Concerning "Sexual Exploitation of Children over the Internet: The Face of a Child Predator and Issues," September 26, 2006.

83. *Id.*

84. Department of Justice, *supra* note 9, at 11-12.

85. United States v. Larson, Sr., SA CR 05-233-CJC.

86. *Id.*

In another case handled by this Office, the defendant came to the attention of the SAFE Team after an undercover FBI agent on a computer file sharing network found that the defendant was offering to share child pornography.[87] The undercover agent obtained an image file from the defendant that depicted minors engaged in sexually explicit conduct, and the FBI obtained a federal search warrant for defendant's residence. During the search, agents found a computer, electronic storage media, and a digital camera. The defendant admitted that he had traded child pornography and that he had twice attempted to have sexual intercourse with a ten-year-old girl. He was arrested and charged by local authorities for the child molestation, but the charges had to be dropped when the victim did not appear for trial.[88] The forensic examination of defendant's computer storage media revealed that in addition to possessing child pornography downloaded from the Internet, he also possessed a number of photographs taken with a digital camera, including two photographs depicting the genitals of a prepubescent boy.[89] The defendant pled guilty to distribution of child pornography and was sentenced to 140 months imprisonment followed by lifetime supervised release.[90]

We have also found that individuals who travel overseas to engage in sexual activity with children are possessors of child pornography. In one case recently handled by this Office, Immigration and Customs Enforcement ("ICE") arrested the defendant at Los Angeles International Airport when he returned from a trip to the Philippines and a search of his luggage turned up hundreds of sexually explicit images of underage boys.[91] He pleaded guilty to engaging in illicit sexual conduct with minors and producing child pornography outside the United States. He was sentenced to seventeen years imprisonment followed by lifetime supervision.[92] In addition, he was ordered to pay $16,475 in restitution to eight of his teenage victims in the Philippines. The boys were identified and located by ICE agents with assistance from the Philippine National Police.[93]

87. United States v. Iglesias, CR 05-232-FMC.
88. *Id.*
89. *Id.*
90. *Id.*
91. United States v. Datan, CR 04-1599-RGK.
92. *Id.*
93. *Id.*

V. AFFIRMATIVE TOOLS OF MOLESTERS

Not only do images of child pornography record horrific abuse and victimization of children, but they often are also used as affirmative tools by the abusers. Abusers frequently use such pornography to lower another child's inhibitions with images that appear to show the victim enjoying the abuse or to validate sex between children and adults as normal. Moreover, offenders use the images to blackmail the victim into silence or into performing further acts of abuse, threatening to release the images to parents, peers, or others if the victim talks or does not allow further exploitation. Such blackmailing even can be aimed at forcing kids into prostitution and the child trafficking trade.

Child pornography plays a central role in child molestations, serving to justify offenders' conduct, to assist them in gaining compliance from their victims, and to provide a means to blackmail the children they have molested in order to prevent exposure. Consequently, child pornography does not simply involve abuse of the individual child victim whose image is created; it is also used affirmatively to perpetuate the sexual exploitation of the same child or other children.

Child and adult pornography is frequently used by child exploiters to lure children into physical sex acts. After a child molester befriends a child and gains the child's trust, he will expose the child to pornography to persuade the child that the behavior is normal and acceptable, and to coax him or her into participation. The Sexually Exploited Child Unit of the Los Angeles Police Department conducted a ten year study and found that adult and child pornography was reportedly used in over 87% of all their child molestation cases. Child pornography is therefore not just a tool for perpetuating more (and more graphic) child pornography—it is also a tool for exploiters to gain opportunities to exploit and molest even more children.[94]

94. Department of Justice, *supra* note 9, at 13.

In a case handled by this Office, the defendant produced child pornography using a close friend's four-year-old granddaughter.[95] After his arrest, in a videotaped statement the defendant admitted that he had shown the little girl the child pornography images on his computer to send her the message that she was beautiful—in other words, to overcome her inhibitions and groom her to be a victim.[96] The defendant, who had worked as a janitor at an elementary school, had collected over 100,000 sexually explicit images of minors. The images were well organized on his computer for easy access. He was convicted by a jury and faces a statutory maximum sentence of forty years imprisonment.[97]

VI. A CALL TO ARMS

"It is not an exaggeration to say that we are in the midst of an epidemic in the production and trafficking of movies and images depicting the sexual abuse of children."[98] In April, the Attorney General discussed the gravity of this problem while visiting the dedicated employees at the National Center for Missing and Exploited Children. He stated, "Now, more than ever, we need to educate the public on the realities of the dangers posed by child sexual predators, abusers, and pornographers."[99] Reiterating his and President Bush's dedication to protecting children, the Attorney General committed the Department of Justice to fight alongside all of its community partners in achieving this mission. He called on all Americans to join the cause: "I am . . . calling on all responsible Americans and corporate citizens down to every last parent, teacher, and minister, to educate themselves about the problem and see how they can help out. Together, we can make our homes and our neighborhoods safer for our sons and for our daughters."[100]

The United States Attorney's Office for the Central District of California is strongly committed to continuing its fight, alongside federal, state and local law enforcement, against this epidemic. Project Safe Childhood is a national strategy developed by the Department of Justice to create and foster a close working relationship among federal, state, and local law enforcement, in addition to non-profit groups, in the prosecution of child

95. United States v. Ferguson, CR 05-1154-JSL.

96. *Id.*

97. *Id.*

98. Transcript of Attorney General Alberto R. Gonzales' Address to the Employees at the National Center for Missing and Exploited Children (April 20, 2006) *available at* http://www.usdoj.gov/ag/speeches/2006/ag_speech_0604202.html.

99. *Id.*

100. *Id.*

sexual exploitation and the identification and assistance to victims. United States Attorney's Offices around the country will provide the leadership in bringing together all of these dedicated professionals to combat this scourge on our communities.